

JOINT BOARD MEETING
Examining Board of Architects, Landscape Architects, Professional Geologists,
Professional Engineers, Designers and Land Surveyors
MINUTES
MADISON, WISCONSIN
NOVEMBER 8, 2001

PRESENT: Bernie Abrahamson, Teresa Adler, Dennis Cerreta, James Dorn, Jay Fernholz, Arno Haering, Robert Hoskins, Ruth G. Johnson, Michael Ohberg, James Otto, Robert Pertzborn, Rick Rettler, Donna Rozar, James Rusch, Harvey Shebesta, and Rick Van Goethem;

EXCUSED: Lynda Farrar, Karen Kalishek, Mary Reavey, Karen Sathoff and Nancy Sobczak

STAFF PRESENT: Katharine Hildebrand, Wayne Austin, Roxanne Peterson and Grace Schwingel

GUESTS PRESENT: Francis Thousand, Wisconsin Society of Land Surveyors

CALL TO ORDER

The meeting was called to order at 9:15 a.m. by Jay Fernholz, Chair. A quorum of 16 members was present.

AGENDA

It was noted that in the Introduction of New Members, in the Engineer Section, the appointment of Martin Hanson has been temporarily postponed.

MOTION: Ruth Johnson moved, seconded by Rick Rettler, to adopt the agenda as amended. Motion carried unanimously.

MINUTES (4/12/01)

It was noted that corrections to the minutes need to be made to indicate that Rick Rettler made the motions that indicated they were made by Roger Roslansky. Roger Roslansky is no longer a member of the Board. In the motion under Practice Issues, the motion should be corrected to read: "**Rick Rettler** moved, . . . to change A-E 2.03(b), Wis. Admin. Code, **from** "professional resident" to "resident means a currently registered architect, . . ."

MOTION: Ruth Johnson moved, seconded by Bernie Abrahamson, to approve the minutes, as amended. Motion carried unanimously.

ADMINISTRATIVE REPORT

Secretary Herrera's Report

- Secretary Oscar Herrera addressed the Joint Board and honored Harvey Shebesta, Chair of the Professional Engineer Section, presenting Harvey with a plaque on behalf of Governor McCallum and thanked Harvey for his many years of dedicated service to the Board and to the people of Wisconsin. Secretary Herrera conveyed the Governor's appreciation to all of the Board members for the work that they do in regulating their profession in Wisconsin. Harvey Shebesta indicated he will write the Secretary a letter with some suggestions that he felt would be beneficial to the Sections of the Joint Board. Secretary Herrera responded to board member questions and informed the Board that the Department would like to present a board member workshop next year.

Bureau Director's Report

Jay Fernholz introduced Katharine Hildebrand to the Joint Board and gave a brief review of her background of working in the Governor's Office.

- Joint Board Roster

Michael Ohberg's name was misspelled on the agenda and needs to be corrected. James Otto has another e-mail address, jimo@eadp.com. The e-mail address listed is also correct, but the additional one is easier to use. Teri Adler's FAX # is the same as her business phone number (920) 836-2216.

- Introduction of New Members

Katharine Hildebrand introduced the new members of the Sections of the Joint Board.

Architect Section: Arno William Haering, James Otto and Mary Reavey (not present).

Designer Section: Michael J. Ohberg

Engineer Section: Harvey Shebesta will be retiring. This is his last meeting.

- Joint Board Rules Committee Roster

At the next meeting of the Joint Board Rules Committee, a new Vice Chair will need to be elected to replace Harvey Shebesta. Rick Van Goethem's home phone number on the Joint Board Rules Committee should be changed to the same number that is listed for his home number on the A-E Joint Board roster (920) 405-0799.

- 2002 Meeting Dates

The Board approved the dates of April 11 and November 14, 2002, for Joint Board meetings.

- Summary Reports on Pending Court Cases, Disciplinary Cases and Administrative Rules and Monthly Press Release

Several cases were noted and reviewed.

- February 2002 Regulatory Digest Draft

The Joint Board reviewed and discussed suggested topics for the next Regulatory Digest. There was a discussion on the merits of balancing experience requirements and academic requirements. The older exams were geared more towards experience. The newer exams are geared more towards education. The National Council wants the schools to use the fundamentals of engineering exam as an output assessment tool. A national standard is important to deal with cross-border mobility and reciprocity issues. The Section wants to be responsive to the national trend concerning reciprocity issues without compromising the quality of the profession in Wisconsin. Hildebrand requested that each section submit a paragraph or article relevant to their profession for the next Regulatory Digest. Shebesta will write an article on the exam issue. Hildebrand will ask Legal Counsel, Austin, to write an article on the electronic signature issue.

LEGISLATIVE UPDATE

There was concern about the length of time that it is taking to get legislative proposals through the legislative process. Hildebrand suggested that professional associations will often get involved in lobbying on behalf of a bill dealing with their profession. Hildebrand will contact the Department's legislative liaison, Myra Shelton, and report back to the Board.

MOTION: Jim Dorn moved, seconded by Donna Rozar, to request the Bureau Director to investigate the status of a previously submitted proposed draft, and to reintroduce it if necessary. It relates to reducing designer of engineering systems permit experience from 8 to 6 years, repealing a permit by experience only and to increase from 2 years to 3 years the amount of experience that an applicant may receive for academic work without graduation. Motion carried unanimously.

ADMINISTRATIVE RULES

Rules Committee Minutes (5/31/01)

Clarification is needed to the minutes regarding AIA's position on electronic transmissions. Do they have a position and if they do, what is it. Hildebrand will contact Bill Babcock to clarify.

MOTION: Donna Rozar moved, seconded by Harvey Shebesta, to approve the minutes of the 5/31/01 Rules Committee, as they will be amended following clarification of AIA's position on electronic transmissions. Motion carried unanimously.

Final Discussion of A-E 2.02(7), Relating to Seals and Stamps

The Board discussed concerns about security and the benefits of progressing to the use of electronic signatures.

MOTION: Rick Rettler moved, seconded by Harvey Shebesta, to adopt the proposed rules relating to the repeal and recreation of A-E 2.02(7). This rule relates to seals and stamps, authorizing registrants to use the available technology of electronic signatures, and meeting the requirements of s. 137.06, Stats., for a more efficient means of submitting original documents required as public records. Motion carried. Arno Haering abstained.

SECTION REPORTS

Architects

Dennis Cerreta reported on the election of the Section's officers: Dennis Cerreta-Chair, Karen Sathoff-Vice Chair and Arno Haering-Secretary. The Section has established a definition for the term "architect" which is reserved for individuals who hold an architectural license. There is a 7-year requirement for the education/experience level. The Section would like to increase the experience level to 10 years and will be addressing the appropriate language to use concerning this issue. A licensee must have 18 continuing education credits annually to remain in good standing with the AIA, but it is not currently a requirement for an architect's license.

Designers

Jim Dorn reported on decisions made at their meetings this year. Dean Field's term on the Board expired on July 1, 2001, and he continued to serve until a replacement was found for his position on the Board. Jim expressed his appreciation of Dean Field's dedication and expertise in his service to the Board during his two terms. Governor McCallum reappointed Karen Kalishek to another 4-year term as a public member, which expires July 1, 2005. The Section welcomed its newest professional member, Michael J. Ohberg, who was appointed by Governor McCallum to a 4-year term, which will expire July 1, 2005, replacing Dean Field.

Land Surveyors

Rick Van Goethem reported on decisions made at meetings this year. There are currently two vacancies on the Section. Harold Kolb resigned last spring and there is also a public member vacancy also. Van Goethem reported on administrative rule changes regarding the educational requirements for a bachelor's degree in land surveying. The proposed change is from 12 credits to 24 credits in land surveying. Currently the Section is working on a proposed rule change to allow temporary licensure permits for individuals in good standing in other states, pending their passing the jurisdictional exam. The Section will meet after the Joint Board meeting.

Landscape Architects

Jay Fernholz reported that Teri Adler has been elected to the Exam Writing Committee for the registration exam. Adler has left corporate America and founded Adler Design Associates. Bernie Abrahamson was awarded the Citizen of the Year for the City of River Falls. Fernholz was scheduled to go to the CLARB Annual meeting on September 13 but due to the attack on New York City on September 11, the Annual meeting was cancelled. The American Society of Landscape Architects Annual meeting in Montreal later in September was also cancelled. Fernholz had prepared a power point presentation to address registration for the profession, but due to technical difficulties with the Department's equipment it was not able to be shown. The Landscape Architects Section will meet after the Joint Board meeting.

Professional Engineers

Harvey Shebesta reported on decisions made in meetings this year and gave a recap of activities and meetings and seminars he has attended during his term as a board member. He attended the National Council of Engineering and Surveying Central Zone meeting in St. Paul and attended the Annual meeting of the National Council in Little Rock in August. Shebesta commended Jim Rusch who attends these professional meetings at his own expense and for being a participant in the National Council's Committee for writing questions that appear on the land surveyors exam. Shebesta indicated it would be beneficial for the Department to fund the Bureau Director, as well as the Chair, to attend professional meetings.

Shebesta noted that in his 8 years on the Board he has worked with 3 different Bureau Directors and suggested it would be a service to the board to make the Bureau Director a civil service position to maintain some continuity in this position. Shebesta also pointed out that the Professional Engineer Section has been operating since July with only 3 members and would like to see dedicated people on this Section. Shebesta expressed his appreciation for the opportunity that being a board member has given him to serve his profession and the people of Wisconsin. Rick Rettler commended Harvey Shebesta for his mentoring of newer members.

MOTION: Harvey Shebesta moved, seconded by Arno Haering, to request that the Bureau Director's position be made a civil service position rather than being filled by political appointment to maintain some history and continuity of experience in the position of Bureau Director. Motion carried unanimously.

STATUS REPORTS

DOE Cases

Legal Counsel, Bill Dusso, gave the Board an update of the land surveyor case in which Roland Sarko sued the Joint Board. The judge issued a decision unfavorable to the Joint Board, based on the idea that while the work cited might not have been up to some standards, it wasn't gross negligence. The State appealed the circuit court's decision in April 2001. The case is currently waiting to be decided by the court of appeals. The law has established in previous cases what

gross negligence is, and what will be decided here is whether the Board has the authority to enforce that established standard. Dusso also made a correction to the Vivian Case in 1973, which involved an engineer, not an architect.

Active Licensees

Patty Williams reported on the work she does to support the Sections and explained the application process. Licensees' records are now available on the Internet. Following is the number of active licensees in each of the Sections:

Professional Engineers - 19,809*

Architects - 4, 943

Landscape Architect - 428

Land surveyors - 1,590

Designers - 1,502

* Many of the licensed professional engineers live outside the state of Wisconsin. The Board expressed an interest in finding out the number of licensees taking the Wisconsin exam, who live outside of Wisconsin.

PRACTICE ISSUES

Sub-contracting

Teri Adler reviewed a discussion from the last Landscape Architect Section meeting about whether a firm should be allowed to advertise themselves as having a landscape architect when what they have associated with them is truly a sub-contractor.

Advertising

Adler expressed her concerns about people advertising in the yellow pages under landscape architecture who are not licensed landscape architects. DOE has consistently pointed out that the Board has no authority to regulate someone who is not licensed. The Department does under Chapter 440, Wis. Stats. There was some discussion on this issue which will be discussed further at Section meetings.

EXAMINATION ISSUES

Nothing to report

MISCELLANEOUS CORRESPONDENCE/INFORMATION

Roxanne Peterson informed Board members that the Department's phone system has been revamped in an effort to improve customer service.

NEW BUSINESS

Nothing to report

SUCH OTHER ITEMS AS AUTHORIZED BY LAW

None

ADJOURNMENT

MOTION: Rick Rettler moved, seconded by James Rusch, to adjourn the meeting at 11:55 a.m. Motion carried unanimously.

Next Joint Board Meeting: Thursday, April 11, 2002 - 9:00 a.m.

Rules Committee Wed., April 10, 2002 - 1:00 p.m.

DATE: February 20, 2002

TO: Katharine Hildebrand

FROM: Grace Schwingel

SUBJECT: A-E Joint Board Meeting, Thursday, November 8, 2001 To Do List

1. **Schwingel** will make corrections to the minutes of April 12, 2001, and see that the correction to Rick Van Goethem's home phone # is made on the Joint Board Rules Roster.
2. Regulatory Digest articles: **Shebesta** will write an article on the exam issue. **Hildebrand** requested that each section submit a paragraph or article relevant to their profession for the next Regulatory Digest. **Hildebrand** will ask Legal Counsel, **Wayne Austin** to write an article on the electronic signature issue.
3. **Hildebrand** will contact the Department's legislative liaison, Myra Shelton, and report back to the Board regarding their concerns about the length of time that it is taking to get legislation introduced a number of years ago through the legislative process. Hildebrand suggested that professional associations often get involved in lobbying on behalf of a bill dealing with their profession.
4. **Hildebrand** will contact Bill Babcock to clarify AIA's position on electronic transmissions referred to in the Rules Committee Minutes (5/31/01). Do they have a position and if they do, what is it? **Schwingel** will correct the Rules Committee minutes of 5/31/01.
5. Many of the licensed professional engineers live outside the state of Wisconsin. The Board expressed an interest in finding out the number of licensees taking the Wisconsin exam, who live outside of Wisconsin.